

(6) the State Engineer of Utah has taken all actions and approved all applications necessary to implement the provisions of the St. George Water Reuse Agreement, the Santa Clara Project Agreement, and the Settlement Agreement, from which no further appeals may be taken; and

(7) the court has entered a judgment and decree confirming the Shivwits Water Right in the Virgin River Adjudication pursuant to Utah Rule of Civil Procedure 54(b), that confirms the Shivwits Water Right and is final as to all parties to the Santa Clara Division of the Virgin River Adjudication and from which no further appeals may be taken, which the United States and Utah find is consistent in all material aspects with the Settlement Agreement and with the proposed judgment and decree agreed to by the parties to the Settlement Agreement.

(b) DEADLINE.—If the requirements of paragraphs (1) through (7) of subsection (a) are not completed to allow the Secretary's statement of findings to be published by December 31, 2003—

(1) except as provided in section 9(d), this Act shall be of no further force and effect; and

(2) all unexpended funds appropriated under section 11(b) and (c), together with all interest earned on such funds shall revert to the general fund of the United States Treasury on October 1, 2004.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3291.

As anyone from the Western part of our great Nation can tell you, water is one of the most critical factors to our communities. This said, disputes over water are difficult to resolve and the outcomes rarely satisfy anyone. Today we have the opportunity to resolve potentially heated disputes and bring about a solution that will uncharacteristically satisfy all parties involved.

I introduced H.R. 3291 to provide for the settlement of the water rights claims of the Shivwits Band of the Paiute Indians. On July 21, 1980, the controversy over water came to a head when the State of Utah initiated a statutory adjudication of water rights within the drainage of the Virgin River, including the Santa Clara River. The United States, as trustee for the Shivwits Band, filed a water user claim in the ongoing statutory adjudication of water rights in Washington County claiming a right to 11,355 acre feet of water for the benefit of the Shivwits. However, due to the time and expense of such adjudication, the parties have entered into agreements to resolve the water rights claims by construction of two water projects that will stabilize the erratic flow of the Santa Clara River and guarantee 4,000 acre-feet of water per year to the Shivwits. This stabilization of the water flow will not only help alleviate water shortages and bring an end to the water claim dispute, but also provide much needed water for endangered fish.

Along with the two water projects, H.R. 3291, authorizes the Secretary of Interior to create a water rights and habitat acquisition

program. This program would be established in the Virgin River Basin for the benefit of species, primarily in the Santa Clara River Basin and secondarily in other parts of the Virgin River, Basin, which have been listed, are likely to be listed, or are the subject of a conservation agreement under the Endangered Species Act. Acquisition of water rights and habitat property must be from willing sellers and would be funded by an appropriation of \$3 million.

Mr. Speaker, in conclusion I would like to thank Resources Chairman, Don Young, for his leadership in the Committee and I urge my colleagues to support this bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3291.

Mr. Speaker, H.R. 3291 provides for the settlement of the water rights claims of the Shivwits Band of the Paiute Indian Tribe of Utah. The bill would make 2,000 acre-feet of water available annually to the Shivwits Band of the Paiute Indian Tribe. The water would be diverted from the water reclamation facility in St. George, Utah.

This settlement will provide the tribe with a significant and long-overdue economic boost.

We have no objections to the legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3291, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GREAT APE CONSERVATION ACT OF 2000

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4320) to assist in the conservation of great apes by supporting and providing financial resources for the conservation programs of countries within the range of great apes and projects of persons with demonstrated expertise in the conservation of great apes, as amended.

The Clerk read as follows:

H.R. 4320

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Great Ape Conservation Act of 2000".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) great ape populations have declined to the point that the long-term survival of the species in the wild is in serious jeopardy;

(2) the chimpanzee, gorilla, bonobo, orangutan, and gibbon are listed as endangered species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) and under Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249);

(3) because the challenges facing the conservation of great apes are so immense, the resources available to date have not been sufficient to cope with the continued loss of habitat due to human encroachment and logging and the consequent diminution of great ape populations;

(4) because great apes are flagship species for the conservation of the tropical forest habitats in which they are found, conservation of great apes provides benefits to numerous other species of wildlife, including many other endangered species;

(5) among the threats to great apes, in addition to habitat loss, are population fragmentation, hunting for the bushmeat trade, live capture, and exposure to emerging or introduced diseases;

(6) great apes are important components of the ecosystems they inhabit, and studies of their wild populations have provided important biological insights;

(7) although subsistence hunting of tropical forest animals has occurred for hundreds of years at a sustainable level, the tremendous increase in the commercial trade of tropical forest species is detrimental to the future of these species; and

(8) the reduction, removal, or other effective addressing of the threats to the long-term viability of populations of great apes in the wild will require the joint commitment and effort of countries that have within their boundaries any part of the range of great apes, the United States and other countries, and the private sector.

(b) PURPOSES.—The purposes of this Act are—

(1) to sustain viable populations of great apes in the wild; and

(2) to assist in the conservation and protection of great apes by supporting conservation programs of countries in which populations of great apes are located and by supporting the CITES Secretariat.

SEC. 3. DEFINITIONS.

In this Act:

(1) CITES.—The term "CITES" means the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249), including its appendices.

(2) CONSERVATION.—The term "conservation"—

(A) means the use of methods and procedures necessary to prevent the diminution of, and to sustain viable populations of, a species; and

(B) includes all activities associated with wildlife management, such as—

(i) conservation, protection, restoration, acquisition, and management of habitat;

(ii) in-situ research and monitoring of populations and habitats;

(iii) assistance in the development, implementation, and improvement of management plans for managed habitat ranges;

(iv) enforcement and implementation of CITES;

(v) enforcement and implementation of domestic laws relating to resource management;

(vi) development and operation of sanctuaries for members of a species rescued from the illegal trade in live animals;

(vii) training of local law enforcement officials in the interdiction and prevention of the illegal killing of great apes;

(viii) programs for the rehabilitation of members of a species in the wild and release of the members into the wild in ways which do not

threaten existing wildlife populations by causing displacement or the introduction of disease;

- (ix) conflict resolution initiatives;
- (x) community outreach and education; and
- (xi) strengthening the capacity of local communities to implement conservation programs.

(3) **FUND.**—The term “Fund” means the Great Ape Conservation Fund established by section 5.

(4) **GREAT APE.**—The term “great ape” means a chimpanzee, gorilla, bonobo, orangutan, or gibbon.

(5) **MULTINATIONAL SPECIES CONSERVATION FUND.**—The term “Multinational Species Conservation Fund” means such fund as established in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999, under the heading “MULTINATIONAL SPECIES CONSERVATION FUND”.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 4. GREAT APE CONSERVATION ASSISTANCE.

(a) **IN GENERAL.**—Subject to the availability of funds and in consultation with other appropriate Federal officials, the Secretary shall use amounts in the Fund to provide financial assistance for projects for the conservation of great apes for which project proposals are approved by the Secretary in accordance with this section.

(b) **PROJECT PROPOSALS.**—

(1) **ELIGIBLE APPLICANTS.**—A proposal for a project for the conservation of great apes may be submitted to the Secretary by—

(A) any wildlife management authority of a country that has within its boundaries any part of the range of a great ape if the activities of the authority directly or indirectly affect a great ape population;

(B) the CITES Secretariat; or

(C) any person or group with the demonstrated expertise required for the conservation of great apes.

(2) **REQUIRED ELEMENTS.**—A project proposal shall include—

(A) a concise statement of the purposes of the project;

(B) the name of the individual responsible for conducting the project;

(C) a description of the qualifications of the individuals who will conduct the project;

(D) a concise description of—

(i) methods for project implementation and outcome assessment;

(ii) staff and community management for the project; and

(iii) the logistics of the project;

(E) an estimate of the funds and time required to complete the project;

(F) evidence of support for the project by appropriate governmental entities of the countries in which the project will be conducted, if the Secretary determines that such support is required for the success of the project;

(G) information regarding the source and amount of matching funding available for the project; and

(H) any other information that the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this Act.

(c) **PROJECT REVIEW AND APPROVAL.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) not later than 30 days after receiving a project proposal, provide a copy of the proposal to other appropriate Federal officials; and

(B) review each project proposal in a timely manner to determine if the proposal meets the criteria specified in subsection (d).

(2) **CONSULTATION; APPROVAL OR DISAPPROVAL.**—Not later than 180 days after receiving a project proposal, and subject to the availability of funds, the Secretary, after consulting with other appropriate Federal officials, shall—

(A) consult on the proposal with the government of each country in which the project is to be conducted;

(B) after taking into consideration any comments resulting from the consultation, approve or disapprove the proposal; and

(C) provide written notification of the approval or disapproval to the person who submitted the proposal, other appropriate Federal officials, and each country described in subparagraph (A).

(d) **CRITERIA FOR APPROVAL.**—The Secretary may approve a project proposal under this section if the project will enhance programs for conservation of great apes by assisting efforts to—

(1) implement conservation programs;

(2) address the conflicts between humans and great apes that arise from competition for the same habitat;

(3) enhance compliance with CITES and other applicable laws that prohibit or regulate the taking or trade of great apes or regulate the use and management of great ape habitat;

(4) develop sound scientific information on, or methods for monitoring—

(A) the condition and health of great ape habitat;

(B) great ape population numbers and trends; or

(C) the current and projected threats to the habitat, current and projected numbers, or current and projected trends; or

(5) promote cooperative projects on the issues described in paragraph (4) among government entities, affected local communities, nongovernmental organizations, or other persons in the private sector.

(e) **PROJECT SUSTAINABILITY.**—To the maximum extent practicable, in determining whether to approve project proposals under this section, the Secretary shall give preference to conservation projects that are designed to ensure effective, long-term conservation of great apes and their habitats.

(f) **MATCHING FUNDS.**—In determining whether to approve project proposals under this section, the Secretary shall give preference to projects for which matching funds are available.

(g) **PROJECT REPORTING.**—

(1) **IN GENERAL.**—Each person that receives assistance under this section for a project shall submit to the Secretary periodic reports (at such intervals as the Secretary considers necessary) that include all information that the Secretary, after consultation with other appropriate government officials, determines is necessary to evaluate the progress and success of the project for the purposes of ensuring positive results, assessing problems, and fostering improvements.

(2) **AVAILABILITY TO THE PUBLIC.**—Reports under paragraph (1), and any other documents relating to projects for which financial assistance is provided under this Act, shall be made available to the public.

(h) **LIMITATIONS ON USE FOR CAPTIVE BREEDING.**—Amounts provided as a grant under this Act—

(1) may not be used for captive breeding of great apes other than for captive breeding for release into the wild; and

(2) may be used for captive breeding of a species for release into the wild only if no other conservation method for the species is biologically feasible.

(i) **PANEL.**—Every 2 years, the Secretary shall convene a panel of experts to identify the greatest needs for the conservation of great apes.

SEC. 5. GREAT APE CONSERVATION FUND.

(a) **ESTABLISHMENT.**—There is established in the Multinational Species Conservation Fund a separate account to be known as the “Great Ape Conservation Fund”, consisting of—

(1) amounts transferred to the Secretary of the Treasury for deposit into the Fund under subsection (e);

(2) amounts appropriated to the Fund under section 6; and

(3) any interest earned on investment of amounts in the Fund under subsection (c).

(b) **EXPENDITURES FROM FUND.**—

(1) **IN GENERAL.**—Subject to paragraph (2), upon request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, such amounts as the Secretary determines are necessary to provide assistance under section 4.

(2) **ADMINISTRATIVE EXPENSES.**—Of the amounts in the account available for each fiscal year, the Secretary may expand not more than 3 percent, or up to \$80,000, whichever is greater, to pay the administrative expenses necessary to carry out this Act.

(c) **INVESTMENT OF AMOUNTS.**—

(1) **IN GENERAL.**—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(2) **ACQUISITION OF OBLIGATIONS.**—For the purpose of investments under paragraph (1), obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) **SALE OF OBLIGATIONS.**—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) **CREDITS TO FUND.**—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(d) **TRANSFERS OF AMOUNTS.**—

(1) **IN GENERAL.**—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) **ADJUSTMENTS.**—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(e) **ACCEPTANCE AND USE OF DONATIONS.**—The Secretary may accept and use donations to provide assistance under section 4. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Fund.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2001 through 2005.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4320.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4320.

The magnitude of the crisis facing the great apes is quite alarming. Populations of chimpanzees, gorillas, bonobos, and orangutans in Africa and Asia are disappearing at a record pace, and scientists have warned they could become extinct in the wild within the next twenty years.

A broad range of actions will be needed to conserve and recover great ape populations in

Africa and Asia. Logging companies must halt the flow of illegal bushmeat from their operations. Long term support for protected areas, national parks, and buffer zones must be secured to protect habitat and wildlife. Law enforcement capacity to enable countries to enforce wildlife protection laws must be developed to prevent poaching. Finally, efforts must be undertaken to help rural populations develop alternative sources of protein that will reduce the demand for bushmeat.

While it is a formidable task, we cannot let the desperate straights of the great apes immobilize us. We must do what we can as quickly as possible. H.R. 4320 bill is a good step in the direction and will hopefully inspire a broad scale effort to restore ape populations worldwide.

Modeled after the successful and widely supported African and Asian Elephant Conservation Acts, the Great Ape Conservation Act would authorize the Secretary to provide up to \$5 million a year in grants to local wildlife management authorities and other entities in the range states to conserve and rebuild great ape populations. This is important because without the cooperation and commitment of the range states and the local communities, conservation efforts cannot be successful.

H.R. 4320 is supported by the Administration and a broad range of interest groups, and I hope Members can support its passage today.

Mr. SAXTON. Mr. Speaker, I rise in strong support of H.R. 4320, the Great Ape Conservation Act, and I compliment the author.

Today, great apes face multiple threats to their very survival. These include habitat destruction, civil wars, and an explosion in the devastating illegal hunting of apes for the commercial enterprise known as bushmeat trade. Unless immediate steps are taken, these magnificent animals will continue their slide toward extinction. We must not allow that to occur.

This legislation would continue the successful partnership established by the African Elephant Conservation Act by creating the Great Ape Conservation Fund, which would make grant money available to assist range state governments and nongovernmental organizations involved in the front-line battles to protect great apes.

These monies will complement established programs and, at the same time, leverage additional financial support from other organizations.

Mr. Speaker, great apes—defined as gorillas, orangutans, chimpanzees, bonobos, and gibbons—are listed both as endangered under the Endangered Species Act and Appendix I under CITES. In fact, one subspecies of gorilla—the mountain gorilla—made famous by the movie, "Gorillas in the Mist," has been decimated to less than 700 animals, making it more endangered than the giant panda.

These grand animals—with whom we share 98 percent of our genetic material—deserve our help.

This bill is supported by the administration and by a diverse group of conservation leaders, including the American Zoo and Aquarium Association, World Wildlife Fund, Wildlife Conservation Society, and many other organizations.

H.R. 4320 is noncontroversial and should be supported by all Members.

I urge an "aye" vote on this important conservation legislation.

Mr. GEORGE MILLER of California. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4320, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and to include extraneous material on H.R. 2348, H.R. 3291, and H.R. 4320, the three bills just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

RECOGNIZING IMPORTANCE OF CHILDREN IN THE UNITED STATES AND SUPPORTING GOALS AND IDEAS OF NATIONAL YOUTH DAY

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 375) recognizing the importance of children in the United States and supporting the goals and ideas of National Youth Day, as amended.

The Clerk read as follows:

H. CON. RES. 375

Whereas national evidence indicates that America's youth are faced with oppressive issues, such as violence, drugs, abuse, and even family stress, causing the future of the youth of the United States, and therefore the future of the Nation, to be at risk;

Whereas youth in America, regardless of their economic status, ethnic or cultural heritage, or geographic location, are experiencing the pressures caused by contemporary society;

Whereas although Americans realize the challenges of today's busy lifestyles and balancing work schedules and youth activities, they remain committed to education, physical fitness, and civic-mindedness;

Whereas it is imperative that the people of the United States act willfully and purposely to secure a positive future for the Nation by devoting time to youth, sharing traditions, and communicating values to children in an effort to sustain ongoing relationships with caring adults;

Whereas America's Promise—The Alliance for Youth, led by General Colin L. Powell,

United States Army (retired), is one of the Nation's most comprehensive nonprofit organizations dedicated to building and strengthening the character and competence of youth by mobilizing the Nation to fulfill the organization's "Five Promises" for young people:

- (1) ongoing relationships with caring adults;
- (2) safe places with structured activities during nonschool hours;
- (3) a healthy start and future;
- (4) marketable skills through effective education; and
- (5) opportunities to give back through community service;

Whereas the citizens of the United States will celebrate American Youth Day and encourage all youth organizations to participate annually on a Saturday near the beginning of the school year; and

Whereas American Youth Day will provide opportunities for America's youth to reclaim the values which foster trust and build better communication and which will encourage parents, grandparents, and extended families to recognize the importance of being involved in the physical and emotional lives of their children: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the importance of youth to the future of the United States;

(2) supports the goals and ideas of American Youth Day; and

(3) encourages the people of the United States to participate in local and national activities that seek to fulfill the Five Promises to America's youth, as established by America's Promise—The Alliance for Youth.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and a member of the minority each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 375.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 375, offered by my colleague, the gentleman from Florida (Mr. MCCOLLUM).

House Concurrent Resolution 375 recognizes the importance of children and supports the goals and ideas of American youth today. This resolution enjoys bipartisan support, and I am pleased to have the opportunity today to speak on behalf of it.

America's young people, regardless of their economic status, ethnic heritage, or geographic location are faced every day with difficult problems, such as violence, drug abuse, and even family stress.

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Unfortunately, these problems also put the future of our youth and Nation